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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,926	02/20/2004	Kuo-Chih Lee	250122-1250	7278

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EXAMINER

MAY, ROBERT J

ART UNIT PAPER NUMBER

2875

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/783,926	LEE ET AL.	
	Examiner	Art Unit	
	Robert May	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/20/2003</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon (US Pat 6,749,315) in view of McGinty (US Pat. 5,540,876).

In regard to Claims 1-2,4-12, Moon discloses all of the claimed elements of Claim 1,4, 6, and 7-8, 10, and 12 except for conductive members having v-shaped scallops. However, McGinty discloses in Figure 1 a heat radiation lamp assembly for a Furnace system wherein each end of the elongated lamps, which are in a parallel configuration, are secured in a v-shaped groove (10,11) of a fixed support structure (12,13). It would be generally obvious to one of ordinary skill to change the shape of the scallop from a semicircle shape to a v-shape because there is no clear indication by the applicant why the change in shape of the scallop from a semi-circular configuration to a v-shaped configuration is significant and how the manufacturing of the v-shaped scallop is easier to control than the semi-circular shaped scallop. Therefore, it would be obvious to one of ordinary skill in the art modify the backlight module of Moon with the v-shaped members of McGinty because there is lack of any persuasive evidence of significance of the v-shaped configuration see *In re Dailey*, 357 F.2d 669.

In regard to Claim 3, Moon discloses in Figure 5D a lamp holder (55b) disposed between a fixed base portion (341b) and a conductive device (47b) which acts as an isolation layer and maybe formed of an elastic material to protect the lamps from external damage. It would generally be obvious to one of ordinary skill to rearrange these parts so that the isolation member is a strip that is direct contact with the lamp

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member and situated between the lamp and upper fixed seat (Figure 6, 543b) and this would not alter the function of device see *In re Japikse*, 181 F.2d 1019.

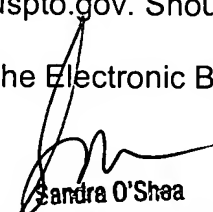
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee (6,857,759), Shin (6,880,953), and Moon (6,796,678) disclose a backlight module for a liquid crystal display including elongated lamp members where each lamp end is secured in a fixed seat of a particular configuration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert May whose telephone number is (571) 272-5919. The examiner can normally be reached between 9 am– 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval PAIR system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sandra O'Shea
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Technology Center 2800